

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
FRIDAY, THE TWENTY FIFTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE N.V. RAMANA
WRIT PETITION NO : 10446 of 2004

Between:

- 1 Barmavathu Samya S/o. Burya, Balajinagar,
Kodad Mandal, Nalgonda District.
 - 2 Bonothu Harishsingh S/o. Lokya,
Kodad Mandal, Nalgonda District.
 - 3 Barmavathu Balaji S/o. (Late) Lachaya,
R/o. Balajinagar, Kodad Mandal, Nalgonda District.
 - 4 Battu Bikaham, S/o.China Ganiya,
R/o. Janakinagar, Chilukuru Mandal, Nalgonda District.
 - 5 Banothu Devla, S/o. Bheekya
Janakinagar, Chilukuru Mandal, Nalgonda District
 - 6 Smt. Battu Shantamma W/o. Kabeeru
Janakinagar, Chilukuru Mandal, Nalgonda District.
 - 7 Smt. Battu Lalitha W/o. Venkateswara Nayak,
Janakinagar, Chilukuru Mandal, nalgonda District.
 - 8 Battu Kabeeru S/o. Samulu,
Janakinagar, Chilukuru Mandal, Nalgonda District.
 - 9 Battu Titriya S/o. Harya
Janakinagar, Chilukuru Mandal, Nalgonda District.
 - 10 Molothu Deepla S/o. Teekya, Dharmathanda,
Chilukuru Mandal, Nalgonda District. **PETITIONERS**
- AND

- 1 The Mandal Revenue Officer, Chilukuru Mandal, Nalgonda Dist.
 - 2 The Mandal Revenue Officer, Kodad Mandal, Nalgonda District.
 - 3 The District Collector, Nalgonda.
 - 4 The Executive Engineer, Panchayat Raj, Nalgonda.
-**RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more in the nature of mandamus declaring the action of the respondents in taking away the lands of the petitioners as referred in the body of the writ petition situated in the villages of Balajinagar and Janakinagar of Kodada and

Chilukuru Mandals of Nalgonda District without following any due process of law and without paying any compensation as highly arbitrary, illegal and violative of Article 14, 16, 19 and 21 of the Constitution.

Counsel for the Petitioner: MR. P.V. RAMANA, Advocate

Counsel for the Respondents: GP FOR REVENUE

The Court at the admission stage made the following :

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue and with their consent, the writ petition itself is taken up for final disposal at the admission stage.

The grievance of the petitioners is that their land in an extent of Ac. 10-04 cents situated in Balajinagar and Janakinagar villages, Kodada and Chilukuru Mandals of Nalgonda District, was taken away by the respondents for the purpose of widening of cart way from Balajinagar N.S.P. canal to Dharma Thanda via Janakinagar, without following due process of law and without paying any compensation to them. They made a representation dated

15-03-2004 to the third respondent-District Collector, Nalgonda with copies marked to respondents 1, 2 and 4, for payment of compensation, but so far no action has been taken in the matter.

Hence, the writ petition.

Having regard to the facts and circumstances of the case and in view of the fact that the representation submitted by the petitioners is pending consideration with the third respondent, I deem it appropriate to direct the third respondent-District Collector, Nalgonda to consider the representation submitted by the petitioners dated 15-03-2004 and pass appropriate orders thereon, in accordance with law, expeditiously.

The writ petition is accordingly disposed of. No costs.

N.V. RAMANA, J

Date: 25-06-2004

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To

- 1 The Mandal Revenue Officer, Chilukuru Mandal, Nalgonda Dist.
- 2 The Mandal Revenue Officer, Kodad Mandal, Nalgonda District.
- 3 The District Collector, Nalgonda.
- 4 The Executive Engineer, Panchayat Raj, Nalgonda.
- 5 Two CCs. to GP for Revenue, High Court buildings, Hyderabad(OUT).
- 6 Two CD copies.